PATENT
ATTORNEY DOCKET: 46884-5380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hironori TAKAHASHI et al.   )   Confirmation No.: 4138
)
Application No.: 10/533,453   )   Group Art Unit: 3663
)
Filed: May 2, 2005   )   Examiner: Johannes P. Mondt
)
For: DEUTERON GENERATING TARGET)
     AND DEUTERON GENERATING   )
     TARGET APPARATUS INCLUDING)
     THE SAME   )

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT AND RESPONSE TO ELECTION
REQUIREMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment and Response to Election Requirement in response to the Office Action dated January 19, 2007.

2. Additional papers enclosed:

    ☐   Drawings: _____ sheets with _____ figures
    ☐   Information Disclosure Statement
    ☐   Form PTO-1449
    ☐   Citations
    ☐   Declaration of Biological Deposit
    ☐   Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3.   Extension of Time

The proceedings herein are for a patent application and the provisions of
37 C.F.R. § 1.136(a) apply.

☒   Applicants believe that no extension of time is required. However, this
conditional petition is being made to provide for the possibility that Applicants
have inadvertently overlooked the need for a petition and fee for extension of
time.

☐   Applicants petition for an extension of time, the fees for which are set out in
37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
☐ one month	$ 120.00	$ 60.00
☐ two months	$ 450.00	$ 225.00
☐ three months	$ 1,020.00	$ 510.00
☐ four months	$ 1,590.00	$ 795.00

Extension of time fee due with this request: $_____

If an additional extension of time is required, please consider this a Petition
therefor.

4.   Constructive Petition

☒   **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is
hereby authorized by this paper to charge any additional fees during the entire
pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17
which may be required, including any required extension of time fees, or credit
any overpayment to Deposit Account 50-0573. This paragraph is intended to be a
CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance
with 37 C.F.R. § 1.136(a)(3).

5. <u>Fee Calculation (37 C.F.R. § 1.16)</u>

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	6	minus	20	0	x $50 each =	+ $0.00
Independent Claims (37 C.F.R.§1.16(b))	2	minus	3	0	x $200 each =	+ $0.00
[ ] First presentation of Multiple dependent claim(s)					$360.00	+ $0.00
SUB-TOTAL =						$0.00
Reduction by ½ for filing by a small entity						- $0.00
TOTAL FEE =						$0.00

6. <u>Fee Payment</u>

☒ No fee is to be paid at this time.

☐ Enclosed is a check in the amount of $_____ for the ___-month extension of time fee.

☐ The Commissioner is hereby authorized to charge _____ to Deposit Account No. 50-0573 for the _____ fee.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: February 16, 2007   By: _____

Paul A. Fournier
Registration No. 41,023

Customer No. 055694
DRINKER, BIDDLE & REATH LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209
Tel: (202) 842-8800
Fax: (202) 842-8465

DC\593137\1

PATENT
ATTORNEY DOCKET: 46884-5380

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hironori TAKAHASHI et al.   ) Confirmation No.: 4138
)
Application No.: 10/533,453   ) Group Art Unit: 3663
)
Filed: May 2, 2005   ) Examiner: Johannes P. Mondt
)
For: DEUTERON GENERATING TARGET)
    AND DEUTERON GENERATING   )
    TARGET APPARATUS INCLUDING)
    THE SAME   )

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

AMENDMENT AND RESPONSE TO ELECTION REQUIREMENT

In response to the Office Action dated January 19, 2007, the period for response to which

extends through February 20, 2007 (February 19, 2007 being a Federal Holiday), please amend

the above-identified application as follows: